

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In Re:)	
)	Chapter 11
SOUTHERN SEASON, INC.,)	CASE NO. 16-80558
)	
Debtor.)	
_____)	

OBJECTION TO MOTION FOR PAYMENT OF PROFESSIONAL FEES BY SILK ROUTE
CAPITAL CORPORATION AND REQUEST FOR CONTINUANCE OF HEARING

NOW COMES, the General Unsecured Creditors Committee, by and through counsel, and hereby Objects to the Motion for Payment of Professional Fees by Silk Route Capital Corporation and Requests Continuance of Hearing and in support thereof shows unto the Court the following:

1. Silk Route Capital Corporation (hereinafter "Silk Route") filed a Motion for Payment of Professional Fees on August 19, 2016 seeking compensation in the amount of \$32,354.25. The matter was noticed for a hearing to be held on September 15, 2016.

2. The duly appointed General Unsecured Creditors Committee (hereinafter "Committee") has previously raised issues concerning the post-petition financing provided by Silk Route to the Debtor and its apparent failure to provide the financing as represented. The Committee needs additional time to properly investigate the facts and circumstances concerning the offer by Silk Route to provide, upon information and belief, up to 1.4 million dollars in financing, having provided a portion of the same and then withdrawing the agreement. The Committee as a result of the emergency hearing on the sale of a majority of the assets of the Debtor to Calvert Retail, LLP and additional matters concerning the sale of personal property located in the Debtors Distribution Center located in Mebane, North Carolina, has not had the appropriate time within which to conduct its investigation. Furthermore, due to the assets which have been sold and the computers containing much of the information needed being in the possession of the purchaser who is transitioning the Chapel Hill store from a formerly Debtor operated store, the Committee has not interfered with this process by requesting assistance in moving forward with obtaining access to the financial records.

3. It appears, as a result of the previous sale order to Calvert Retail, LLC and the additional sale authorizing the assets to be sold located in the Distribution Center along with the directions contained in said Order for the disbursement of funds, that even if the hearing on the Silk Route attorney fees were held on September 15, 2016 and concluded there would be no funds to make such distribution.

4. Given the legitimate need for the Committee to conduct additional investigation as indicated herein, the reasons for not having conducted this investigation to date and the practical

reality that the funds are not available a continuance of this hearing for Sixty (60) days is appropriate and would not be prejudicial to the moving party or any other party in interest.

WHEREFORE, the General Unsecured Creditors Committee objects to the allowance of the fees as requested, at this time, and for the reasons stated herein request that the hearing scheduled for September 15, 2016 be continued for Sixty (60) days.

This the 9th day of September, 2016

/s/ Charles M. Ivey, III
Charles M. Ivey, III
Attorney for Unsecured Creditor Committee
NCSB# 8323

/s/ Dirk W. Siegmund
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CERTIFICATE OF SERVICE
16-80558- SOUTHERN SEASON

The undersigned attorney certifies that the foregoing was served on the following persons by email upon the parties that receive electronic notice in this case pursuant to the Court's ECF filing system.

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This the 9th day of September, 2016

/s/ Charles M. Ivey, III
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